

ESTTA Tracking number: **ESTTA722267**

Filing date: **01/22/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92061031
Party	Plaintiff Jeffrey Schermerhorn
Correspondence Address	JEFFREY SCHERMERHORN 7070 CURTISS AVENUE SARASOTA, FL 34231 UNITED STATES jsny72@gmail.com
Submission	Opposition/Response to Motion
Filer's Name	Jeffrey Schermerhorn
Filer's e-mail	jsny72@gmail.com
Signature	/jeffrey Schermerhorn/
Date	01/22/2016
Attachments	USPTO Response to Membership 2.pdf(4499570 bytes) RASM Membership has been Temporary Suspended-How to Re-Activate.pdf(179666 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

Jeffrey Schermerhorn
Petitioner,

Cancelation No: 92061031
Registration No: 519,789
Mark: Realtor

V.

National Association of Realtors,
Respondent

Number 92061031

January 22, 2016

In response to answer to the Summary Motion Filed on behalf of the National Association of Realtors regarding Jeffrey Schermerhorn being a Member of the National Association of Realtors being prohibited from bring action herein is attached proof that I am not a member at this point in time.

In the response to Motion Filed I indicated I was forced to become a "Member" against my will. My Membership has now Expired! I have no intention to renew my membership as Member of the National, State or Local Realtor Boards. Once my renewal is no longer active as shown in the copy of my email from the Realtor Association. With the now suspended account and membership I am at this point considered not a MEMBER. I will then follow up with a letter that I will surely receive from my Employing Broker telling me I am fired and cannot work for him no longer. This supports my statement that the Realtor Association violates the Sherman Anti Trust Laws and practices against the Florida Constitution as a Right to Work State. They will also either fine my broker if I continue to work for him or will force him to terminate my employment if I don't join the Realtor Association. These actions taken by forcing membership may be considered in violation of the RICO Act. The fact a Licensed Real Estate Agent, Broker and Associates in a State is forced to become a "Member" of a Private organization without choice such as myself and enforced by threats of fines and or other punishment is unreasonable and unethical.

Attached is the first Notification I received indicating my Membership is suspended and soon to be terminated. I was forced to join after I was already employed by my Employer Broker and also to pay a renewal in end of first year being licensed.

I will provide further documentation once my broker is informed of such notice and my termination follows for my employment. I am the sole provider for my family and I will in the months to follow show proof that the National Association of

Realtors controls the entire Real Estate Industry. They deceptively own and influence everything from the Membership on a National to State to Local level as well as the sole owner and controlling entity of the local MLS system and all Data required to practice real estate as a licensed Agent, Broker or Associate. If not a member of the association you may be granted access to the MLS but you are not able to engage in business the same as those that are members of the association. Being a non-member makes it impossible to conduct business as licensed by the State to do so.

The control and rules set by the Realtor Association for MLS access is also unfair business practices to those that are members and those whom are not. I respectfully ask that the Due Process continue as I have an overwhelming amount of proof that this action needs to be as transparent and fair to be evaluated on the merits and evidence I have so we can move forward in the interest of justice and fairness.

I am no longer a member of the National Association of Realtors therefore, their response to Motion should not be considered and request this case move forward in the interest of the American people, Current Members of the National Association of Realtors and the integrity of the United States Patent and Trademark Office. I indicated in previous statements that the majority of Members as well as the General Public feel that the word realtor, is in fact a generic term. I have significant evidence and proof to support my claim and statements. I thank you in advance for the opportunity to proceed forward and for the Trial and Appeals Board to review the attached documents as they become available and my membership is terminated and soon my employment.

Jeffrey Schermerhorn

Dated January 22, 16

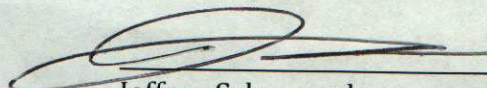
By: 

Jeffrey Schermerhorn
7070 Curtiss Ave
Sarasota FL 34231
518-429-1996

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Supporting Statement and Exhibit in response to Motion was served on Defendant by first class mail on this 22nd day of January, 2016 in an envelope addressed as follows

Jeffrey Handelman
Nicolas G. de la Torre
Brinks Gilson & Lione
455 N. Cityfront Plaza Drive
NBC Tower, Suite 3600
Chicago, Illinois 60611


Jeffrey Schermerhorn



Jeffrey Schermerhorn <jsny72@gmail.com>

RASM Membership has been Temporary Suspended-How to Re-Activate

1 message

Realtor Association of Sarasota & Manatee-Dues

Mon, Jan 18, 2016 at 9:48

<dan@myrasm.com>

AM

Reply-To: dan@myrasm.com

To: jsny72@gmail.com



REALTOR® ASSOCIATION
of Sarasota and Manatee

**[Please Click Here To View and/or Pay
Your RASM Dues](#)**

IF YOU PAID YOUR DUES ALREADY TODAY-IGNORE THIS EMAIL

Dear Jeffery,

YOUR NATIONAL ASSOC NRDS#:(281523304)

Currently Temporary Suspended

As of Jan 18, 2016 your RASM membership has been temporary suspended as you have not paid your 2016 Annual RASM Dues.

[Click Here Today to Pay Your Dues](#)

If Realtor Membership Services is interrupted for non-payment, it may take up to 48 hours for your Realtor Membership Services to be restored after

payment is processed and verified.

PLEASE READ ALL OF THIS IMPORTANT NOTICE

You will need to pay your 2016 Realtor Dues invoice in full , prior to 5:00 p.m. on February 16, 2016 to avoid termination of your membership and subsequent **\$75 reinstatement** fee. After February 29, 2016 you must reapply as a new member and pay the \$75 re-instatement fee, a \$30 processing fee to FR and all amounts due at date of termination.

If you **DO NOT** plan on renewing your Primary membership, please submit/fax a copy of your DBPR RE-11 Form. **Please FAX to at 941-952-3418.**

[Click Here For DBPR RE-11 Form](#)

If you are a **Broker or a Secondary Member of RASM** and **DO NOT** plan on renewing your membership, please reply to this email stating you are terminating your membership or email Dan Andrews at Dan@MyRASM.com

All dues must be paid online electronically

Please note this billing cycle includes 2016 Annual Dues for:

- RASM Local dues \$200
- FAR State dues \$126
- NAR National dues \$155
- RPAC 2010 Contribution \$99 (Voluntary) **see "What is RPAC" below

For your information:

- My Florida Regional MLS will bill subscribers in April 2016 (For MLS Service from June 2016 to May 2017)
- MFCRE-Commercial MLS will bill subscribers in April 2016 (For Commercial MLS Service from June 2016 to May 2017)
- Supra was invoiced for (ActiveKey) on July 2016

How to pay online:

*Go to www.MyRASM.com

*Click on "MY ACCOUNT" link

*Login

*Click on "Pay/View Bill Online"

***Pay your bill with Debit Card, Credit Card or Electronic Check**

***To print copy of invoice, Click on invoice number**

[Forgot my password or log in Click Here](#)

****RPAC - What's in it for you? (\$99.00)**

Your Realtor® Political Action Committee (RPAC) raises funds voluntarily from members of the Florida Association of Realtors® for use in issues, campaigns and campaign contributions to political candidates at federal, state and local levels.

RPAC provides you with the opportunity to have a collective statewide and nationwide impact on the election of officials who will shape legislation that affects your livelihood and the way real estate professionals do business.

**If you choose not to pay RPAC (which is voluntary),
unclick the check mark on the RPAC invoice line.**

Sincerely,

Realtor Association of Sarasota and Manatee
www.MyRASM.com

Realtor Association of Sarasota and Manatee
South Office
2320 Cattlemen Road
Sarasota, Florida 34232
941-952-3400* Fax 941-952-3401
www.MyRASM.com

Forward email



This email was sent to jsny72@gmail.com by dan@myrasm.com |
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Realtor Association of Sarasota and Manatee | 2320 Cattlemen Road | South Office | Sarasota | FL | 34232